

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER M. HERSH, SR.,**  
**Plaintiff,**

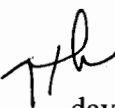
**v.**

**MICHAEL P. RELAHAN, et al.,**  
**Defendants.**

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**CIVIL ACTION NO. 18-CV-3639**

**ORDER**

AND NOW, this  day of September, 2018, upon consideration of Plaintiff

Christopher M. Hersh Sr.'s Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No.3), and his *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Christopher M. Hersh Sr., #39186 shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Hersh, an initial partial filing fee of \$22.10 is assessed. The Warden or other appropriate official at the Chester County Prison or at any other prison at which Hersh may be incarcerated is directed to deduct \$22.10 from Hersh's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-3639. In each succeeding month when the amount in Hersh's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to

Hersh's inmate trust fund account until the fees are paid. Each payment shall reference the docket number for this case, Civil Action No. 18-3639

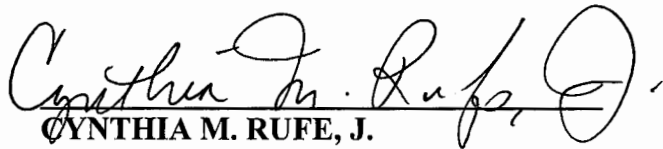
3. The Clerk of Court is **DIRECTED** to send a copy of this order to the Warden of the Chester County Prison.

4. The Complaint is **DISMISSED** for the reasons set forth in the Court's Memorandum. Hersh's federal claims are **DISMISSED with prejudice** for failure to state a claim. Any state law claims are **DISMISSED without prejudice** for lack of subject matter jurisdiction to refile in the appropriate state court.

5. The Clerk of Court shall **CLOSE** this case.

It is so **ORDERED**.

**BY THE COURT:**

  
CYNTHIA M. RUFÉ, J.